

RECEIVED

2015 APR 28 P 4:21

District Attorney's Office
CCC-CA
900 Ward Street, Martinez

SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
PITTSBURG

DA
FILED
APR 23 2015

STEPHEN H. NASH CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA
By _____ Deputy Clerk

THE PEOPLE OF THE STATE OF CALIFORNIA,

VS.

GLENDIA MOTIL PUBLICO, AND
ROMMEL SURCO PUBLICO,

DEFENDANT(S) ./

NO. 184049-5
DA NO. M 15 000073-7
1ST AMENDED COMPLAINT -
FELONY
01) PC 487(a)/532
02) CUIC 2117.5
03) CUIC 2118.5
04) CIC 11760(a)

The undersigned states, on information and belief, that
GLENDIA MOTIL PUBLICO and ROMMEL SURCO PUBLICO, Defendant, did commit
a felony, a violation of PENAL CODE SECTION 487(a)/532 (GRAND THEFT
BY FALSE PRETENSES), committed as follows:

On or about September 7, 2011, in Contra Costa County, the Defendant,
GLENDIA MOTIL PUBLICO and ROMMEL SURCO PUBLICO, did willfully,
knowingly, unlawfully, and fraudulently get possession of money and
property and obtain labor and service valued at Five Hundred Fifty
Two Thousand Eight Hundred Seventy dollars \$552,870.00.

COUNT TWO:

The undersigned further states, on information and belief, that
GLENDIA MOTIL PUBLICO and ROMMEL SURCO PUBLICO, Defendant, did commit
a felony, a violation of UNEMPLOYMENT INSURANCE CODE SECTION 2117.5
(FAILURE TO FILE A RETURN), committed as follows:

On or about September 7, 2011, in Contra Costa County, the Defendant,
GLENDIA MOTIL PUBLICO and ROMMEL SURCO PUBLICO, did unlawfully fail to
file a return as required by the California Unemployment Insurance
Code with the intent to evade any tax imposed by the California
Unemployment Insurance Code.

COUNT THREE:

The undersigned further states, on information and belief, that GLENDA MOTIL PUBLICO and ROMMEL SURCO PUBLICO, Defendant, did commit a felony, a violation of UNEMPLOYMENT INSURANCE CODE SECTION 2118.5 (FAILURE TO ACCOUNT FOR AND PAY OVER TAXES), committed as follows:

On or about September 7, 2011, in Contra Costa County, the Defendant, GLENDA MOTIL PUBLICO and ROMMEL SURCO PUBLICO, did unlawfully fail to truthfully account for and pay over taxes and amounts required to be withheld by the California Unemployment Insurance Code.

COUNT FOUR:

The undersigned further states, on information and belief, that GLENDA MOTIL PUBLICO and ROMMEL SURCO PUBLICO, Defendant, did commit a felony, a violation of INSURANCE CODE SECTION 11760(a) (MISREPRESENTATIONS TO OBTAIN WORKERS' COMPENSATION INSURANCE AT A LOWER RATE), committed as follows:

On or about September 7, 2011, in Contra Costa County, the Defendant, GLENDA MOTIL PUBLICO and ROMMEL SURCO PUBLICO, did unlawfully misrepresent a fact to State Compensation Fund in order to obtain worker's compensation insurance at less than the proper rate for that insurance.

CHARGE
ENHANCEMENT
AGGRAVATED WHITE COLLAR CRIME

It is further alleged, pursuant to Penal Code section 186.11, that in the commission of the above offenses, the Defendant, GLENDA MOTIL PUBLICO AND ROMMEL SURCO PUBLICO, committed two or more related felonies, a material element of which is fraud and embezzlement, which involved a pattern of related felony conduct, and the pattern of related felony conduct involved the taking of more than One Hundred Thousand Dollars (\$100,000).

1ST AMENDED

PEOPLE V. GLENDA MOTIL PUBLICO, ROMMEL SURCO PUBLICO
PAGE 3

NO. 184049-5
DA NO. M 15 000073-7

COMPLAINANT REQUESTS THAT DEFENDANT(S) BE DEALT WITH ACCORDING TO LAW.
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
CORRECT.

DATED: April 23, 2015

AT MARTINEZ, CALIFORNIA

WILLIAM J. MURPHY/co
DEPUTY DISTRICT ATTORNEY